

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVIN FENIX,

Plaintiff,

v.

GAVIN NEWSOM, et al.,

Defendants.

No. 1:24-cv-00202-SAB (PC)

ORDER DENYING PLAINTIFF'S MOTION
FOR LEAVE TO FILE AN AMENDED
COMPLAINT AS UNNECESSARY AND
MOOT

(ECF No. 16)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983. Plaintiff filed the instant action on February 9, 2024.

On April 18, 2024, the Court screening Plaintiff's complaint, found no cognizable claims, and granted Plaintiff thirty days to file an amended complaint. (ECF No. 14.)

On May 6, 2024, Plaintiff filed a first amended complaint and a motion for leave to file an amended complaint. (ECF Nos. 15, 16.)

Inasmuch as Plaintiff was previously granted leave to amend the complaint on April 18, 2024 and filed a first amended complaint on May 6, 2024, his motion for leave to amend is unnecessary and moot. Accordingly, Plaintiff's motion for leave to amend the complaint is denied.

IT IS SO ORDERED.

Dated: May 7, 2024


UNITED STATES MAGISTRATE JUDGE